WILLS—AFTER-BORN CHILDREN—ADOPTED CHILDREN. — Testator, by his will, gave all of his property to his wife. After the execution of the will and before his death, he legally adopted the plaintiff, then an infant, in accordance with the statute of adoption, and died without changing the will. The statute provided that adopted children should have "all the rights, privileges, and responsibilities which would pertain to the child if born to the person adopting in lawful wedlock." *Held*, That the will was revoked by the adoption, precisely as in case of the birth of after-born children. *Hilpire* v. *Claude* (Iowa), 80 N. W. 332.

This decision is based upon the local law of Iowa, under which it is held that the statute relating to revocation of wills is not exclusive of other methods. In *Davis* v. *Fogle* 124 Ind. 41, 23 N. E. 860, it was held that since the statute operating to revoke antecedent wills did not mention the subsequent adoption of a child as a method of revocation, such adoption would not so operate. See also *In Re Gregory's Estate*, 37 N. Y. Supp. 925. In *New York etc. Trust Co.* v. *Viele*, 47 N. Y. Supp. 841, it is held, that under the New York statute, an adpoted child cannot take under a will devising an estate to the "lawful issue" of the adoptive parent.

In *Phillips* v. *McConica* (Ohio), 51 N. E. 445, it is held that where a legatee dies before the testator, leaving an adopted child, but no "issue," such child does not succeed to the legacy, under the statute prescribing that in such case the "issue" shall take (as in Virginia)—but the legacy lapses.

In *Butterfield* v. *Sawyer* (Chicago Legal News, Nov. 11, 1899), the Supreme Court of Illinois held that an estate limited to the grantor's daughter for life, "with remainder to her child or children that may be living at the time of her death," and in default of children over, vested, after the death of the particular tenant (who left no children of her body), in an adopted child which she left surviving her.

The comparatively modern statutes by which even an unmarried person may adopt a child, whereby, to all legal intents and purposes, its rights become coincident with those of children of the body, is a radical innovation upon the common law. The exercise of the privilege will frequently disappoint the wishes of testators and grantors, and those for whom they have contingently provided. Under these statutes, there is no such thing as possibility of children extinct. A bachelor of ninety or a spinster whose maiden bloom is but a memory, who hold estates with limitations over in default of children, need no longer despair—and the Terrible Temptation upon which Charles Read's novel is based, no longer need beset the barren wife. These statutes offer to every citizen, married or single, young or old, potent or impotent, children ready made—with a large choice as to age, sex, color and previous condition.

DEEDS — FRAUD IN ESSE CONTRACTUS — BONA FIDE MORTGAGEE.—Plaintiff was induced by the fraudulent artifice of her son-in-law to sign an instrument, in ignorance that it was a deed conveying her house and lot to her daughter, wife of the perpetrator of the fraud, and without negligence on the part of the alleged grantor. By means unknown, a genuine notarial certificate of acknowledgment was procured, though the plaintiff made no such acknowledgment. This instrument was duly recorded, but the plaintiff remained in possession of the property, and her name appeared in large letters on the front door and on the horse block in front of it. The daughter and son-in-law resided with her. In reliance on the